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PATENT



UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 99,576-A)

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TC 1700

In the Application of:)

Nasir, et al.)

Art Unit: 1743)

Serial No.: 09/903,061)

Examiner: Not yet assigned)

Filed: July 11, 2001)

For: **FLUORESCENCE POLARIZATION-
BASED HOMOGENEOUS ASSAY FOR
DEOXYNIVALENOL DETERMINATION
IN GRAINS**)

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Washington, D.C. 20231-9999

Dear Sir:

Pursuant to the duty of disclosure provided by 35 C.F.R. § 1.56 and §§ 1.97-98, the applicants wish to make the following references of record in the above-identified application. Copies of the references are enclosed. Copies are also listed in the PTO-1449 form enclosed herewith. It is requested that the documents be given careful consideration and that they be cited of record in the prosecution history of the present application so that they will appear on the face of the patent issuing from the present application.

Portions of the references may be material to the examination of the pending claims, however no such admission is intended. 37 C.F.R. 1.97 (h). The references have not been reviewed in sufficient detail to make any other representation and, in particular,

no representation is intended as to the relative importance of any portion of the references. This Statement is not a representation that the cited references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. sections 102 or 103.

CITED REFERENCES

U.S. Patent Documents

<u>Document Number</u>	<u>Date</u>	<u>Name</u>	<u>Class</u>	<u>Filing Date If appropriate</u>
4,772,551	09/20/88	Hart et al.	435/7	12/26/85
4,879,248	11/07/89	Chu et al.	436/543	04/28/87
5,118,612	06/02/92	Chu et al.	435/7.93	08/28/89
5,976,820	11/02/99	Jolley et al.	435/7.32	08/28/95
6,110,750	08/29/00	Sugden et al.	436/537	06/27/97

Foreign Patent Documents

<u>Document Number</u>	<u>Date</u>	<u>Country</u>
4013004	10/31/91	Germany
00/17649	03/30/00	PCT
00/19202	04/06/00	PCT

Other Documents

1. Jolley, M.E., "Fluorescence Polarization Immunoassay for the Determination of Therapeutic Drug Levels in Human Plasma," *Journal of Analytical Toxicology*, Vol. 5, September/October 1981, pp. 236-240.
2. Trucksess, et al., "Thin Layer Chromatographic Determination of Deoxynivalenol in Wheat and Corn," *J. Assoc. Off. Anal. Chem.*, Vol. 67, No. 1, 1984, pp. 40-43.
3. Chang, et al., "Rapid Determination of Deoxynivalenol (Vomitoxin) by Liquid Chromatography Using Modified Romer Column Cleanup," *J. Assoc. Off. Anal. Chem.*, Vol. 67, No. 1, 1984, pp. 52-54.
4. Zhang, et al., "Production and Characterization of Antibody Against Deoxynivalenol Triacetate," *Journal of Food Protection*, Vol. 49, No. 5, May 1986, pp. 336-339.
5. Ligler, et al., "A Homogeneous Immunoassay for the Mycotoxin T-2 Utilizing Liposomes, Monoclonal Antibodies, and Complement," *Analytical Biochemistry*, Vol. 163, 1987, pp. 369-375.

6. Eremin, et al., "Single-Reagent Polarization Fluoroimmunoassay of Methamphetamine in Urine," *Clinical Chemistry*, Vol. 33, No. 10, 1987, pp. 1903-1906.
7. Casale, et al., "Enzyme-Linked Immunosorbent Assay Employing Monoclonal Antibody Specific for Deoxynivalenol (Vomitoxin) and Several Analogues," *J. Agric. Food Chem.*, Vol. 36, 1988, pp. 663-668.
8. Wei, et al., "Use of Synthetic Peptides as Tracer Antigens in Fluorescence Polarization Immunoassays of High Molecular Weight Analytes," *Analytical Chemistry*, Vol. 65, No. 23, December 1, 1993, pp. 3372-3377.
9. Kauvar, et al., "Predicting ligand binding to proteins by affinity fingerprinting," *Chemistry & Biology*, Vol. 2, No. 2, 1995, pp. 107-118.
10. Pestka, et al., "Enzyme-linked immunosorbent assays have been successfully applied to the screening of mycotoxins in a diverse array of foods," *Food Technology*, February 1995, pp. 120-128.
11. Sinha, et al., "Production of Monoclonal Antibodies for the Specific Detection of Deoxynivalenol and 15-Acetyldeoxynivalenol by ELISA," *J. Agric. Food Chem.*, Vol. 43, 1995, pp. 1740-1744.
12. Maune, C., "Vomitoxin troubles – Is your mycotoxin control program good enough?" *Pet Food Industry*, November-December 1995, pp. 4-10.
13. Trucksess, et al., "Determination and Survey of Deoxynivalenol in White Flour, Whole Wheat Flour, and Bran," *Journal of AOAC International*, Vol. 79, No. 4, 1996, pp. 883-887.
14. Jolley, M.E., "Fluorescence Polarization Assays for the Detection of Proteases and Their Inhibitors," *Journal of Biomolecular Screening*, Vol. 1, No. 1, 1996, pp. 33-38.
15. Nielsen, et al., "A homogeneous fluorescence polarization assay for detection of antibody to *Brucella abortus*," *Journal of Immunological Methods*, Vol. 195, 1996, pp. 161-168.
16. Lynch, et al., "A Fluorescence Polarization Based Src-SH2 Binding Assay," *Analytical Biochemistry*, Vol. 247, 1997, pp. 77-82.
17. Adamczyk, et al., "Synthesis of Conjugates for a Barbiturate Screening Assay," *Bioconjugate Chem.*, Vol. 8, 1997, pp. 281-288.

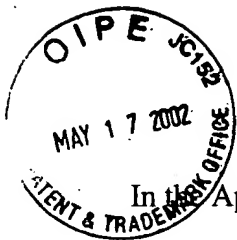
18. Nasir, et al., "Fluorescence Polarization: An Analytical Tool for Immunoassay and Drug Discovery," *Combinatorial Chemistry & High Throughput Screening*, Vol. 2, 1999, pp. 177-190.

19. Maragos, et al., "Monoclonal Antibodies for the Mycotoxins Deoxynivalenol and 3-Acetyl-Deoxynivalenol," *Food and Agricultural Immunology*, Vol. 12, 2000, pp. 181-192.

Respectfully submitted,
McDonnell Boehnen Hulbert & Berghoff

Date: May 13, 2002

By: Richard A. Machonkin
Richard A. Machonkin
Registration No. 41,962



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 99,576-A)

1743 #2 JW
PATENT

In the Application of:

Nasir, et al.

Serial No.: 09/903,061

Filed: July 11, 2001

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TRANSMITTAL LETTER

1. We are transmitting herewith the attached papers for the above-identified new patent application:

- ☒ Information Disclosure Statement
- ☒ Form PTO-1449 (3 pages)
- ☒ Copies of IDS Citations for 09/903,061 (Total 5 U.S. Patents, 3 Foreign Patents and 19 Other Documents)
- ☒ Return Receipt Postcard

2. **GENERAL AUTHORIZATION TO CHARGE OR CREDIT FEES:** Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.

3. **CERTIFICATE OF MAILING UNDER 37 CFR § 1.8:** The undersigned hereby certifies that this Transmittal Letter and the papers, as described in paragraph 1 herein-above, are being deposited with the United States Postal Service with sufficient postage as "First Class Mail" in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on this 13th day of May, 2002.

By:

Richard A. Machonkin

Richard A. Machonkin

Registration No. 41,962